

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Docket No. 2003-10370-DPW-05

UNITED STATES OF AMERICA *
*
V. *
*
JOHN MCCARTHY *

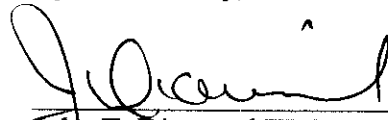
DEFENDANT, JOHN MCCARTHY'S, REQUEST FOR
ADDITIONAL TIME TO FILE MOTIONS

Jack Diamond, counsel for John McCarthy, respectfully requests additional time to file motions. The court previously set Wednesday, September 22, 2004, for the filing of any non-discovery type motions. The defendant respectfully requests that the Court schedule a new deadline at the Status Conference currently scheduled for Tuesday, September 28, 2004.

As reasons therefore, the defendant states that this is a complex case. The charges involve an 8-codefendant drug distribution allegation. There are approximately 5,000 pages of discovery. The defendant requires additional time to assess and evaluate all of the materials. Additionally, it appears, upon first review of the numerous discovery materials, that there are additional materials that need to be provided. There has been some delay and difficulty in receiving all of these materials through no fault of the government. Additionally counsel has experienced the loss of some office support staff over the last 2 months, including a law clerk and an associate counsel. Those staffings will be restored by Monday, October 4, 2004. The loss of this support staff has created a hardship in reviewing and evaluating the voluminous discovery materials in this case. The defendant will require additional time to assess and review those materials, prior to making determinations as to whether any motions for additional discovery would need to be filed, and what other type of motions would be appropriate.

The Assistant U.S. Attorney, Rachel Hershfang, handling this matter on behalf of the government, has assented to similar requests on behalf of other codefendants.

Respectfully submitted,
John McCarthy,
By his Attorney,



John T. Diamond III, Esq.
TORNEY MAHONEY DIAMOND
& BENNETT
15 Foster Street
Quincy, MA 02169
BBO # 555934
(617) 770-0000

Dated:

9/27/04